



HOUSE JOINT RESOLUTION 17-1025

BY REPRESENTATIVE(S) Williams D. and Salazar, Coleman, Covarrubias, Humphrey, Lebsock, Neville P., Arndt, Becker K., Beckman, Benavidez, Bridges, Buck, Buckner, Catlin, Danielson, Esgar, Everett, Exum, Foote, Garnett, Ginal, Gray, Herod, Hooton, Jackson, Kennedy, Kraft-Tharp, Landgraf, Lawrence, Lee, Leonard, Lewis, Lontine, Lundeen, McKean, Melton, Michaelson Jenet, Mitsch Bush, Navarro, Pabon, Pettersen, Rankin, Ransom, Saine, Sias, Singer, Thurlow, Valdez, Van Winkle, Weissman, Willett, Wilson, Young;
also SENATOR(S) Hill and Moreno, Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Martinez Humenik, Merrifield, Tate, Todd, Williams A., Zenzinger, Grantham.

CONCERNING THE REQUEST THAT GOVERNOR HICKENLOOPER EXERCISE HIS AUTHORITY TO GRANT CLEMENCY TO RENE LIMA-MARIN.

WHEREAS, In 2000, at the age of 19, Rene Lima-Marin and an accomplice were convicted of burglary, aggravated robbery, and second-degree kidnapping and given consecutive sentences of 98 years; and

WHEREAS, While Lima-Marin was young at the time of committing the crime and not fully aware of the severe consequences of his actions prior to arrest, he was rightfully convicted at trial; and

WHEREAS, Despite the initial stiff sentence, the public defender who reviewed Lima-Marin's case file after sentencing assured him that, if he behaved while incarcerated, his sentence would be greatly reduced, never explaining that the reduced sentence was due to a rare clerical error; and

WHEREAS, While incarcerated, Lima-Marín became a model inmate, joining a small Christian prayer group that focused on personal responsibility and service to others, and, with a clean behavior record, was granted parole in April 2008; and

WHEREAS, During the five years of his parole, Lima-Marín maintained a spotless record, fulfilling all the terms of the parole without incident and overcoming the many obstacles the formerly incarcerated face when reentering society; and

WHEREAS, The life Lima-Marín created outside of prison was that of a model citizen, working his way from menial jobs to a skilled career in construction, marrying his long-time girlfriend, raising his adopted son and the son he and his wife had after marrying, purchasing a home, and serving in his local church as a youth group leader who ministered to young people in group homes; and

WHEREAS, In the intervening years between his initial incarceration and reincarceration, Lima-Marín strived to be a productive, taxpaying member of society rather than a tax burden on the state; and

WHEREAS, When Lima-Marín was notified about the error and told he must return to prison, he surrendered to authorities of his own volition rather than evade capture, a strong testament to his honesty and moral conviction; and

WHEREAS, By releasing Lima-Marín early and then reincarcerating him because of the clerical error, the state is enacting cruel and unusual punishment by separating him from his family and the life he built as a rehabilitated, free citizen; and

WHEREAS, The criminal justice system claims to not only be about upholding justice but about reforming offenders, which is exactly what Lima-Marín's initial incarceration achieved as evidenced by the life he led during incarceration and in the years following his release; and

WHEREAS, Over the past decades pardons and clemencies granted by governors in Colorado and other states have declined dramatically; and

WHEREAS, There are a number of worthy cases for pardons or

clemencies other than Lima-Marín's, and these cases are currently under consideration by the governor; and

WHEREAS, Lima-Marín is deserving of clemency by the governor due to the dramatic positive changes he has made in his life; and

WHEREAS, Because of the rare nature of this administrative error, the Colorado General Assembly believes the equally rare granting of clemency authorized by the governor would eliminate a court decision that could set a problematic precedent for other cases in the future; now, therefore,

Be It Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado, the Senate concurring herein:

That we, the Colorado General Assembly, urge Governor Hickenlooper to use his executive authority to grant clemency to René Lima-Marín.

Be It Further Resolved, That copies of this Joint Resolution be sent to Governor John Hickenlooper; members of Colorado's Executive Clemency Advisory Board; George Brauchler, District Attorney of the

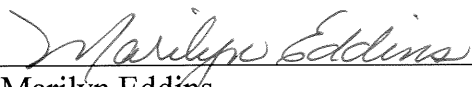
18th Judicial District; Honorable Carlos A. Samour, Jr., Chief Judge of the 18th District Court; Rene Lima-Marin; and Lima-Marin's wife Jasmine Lima-Marin.



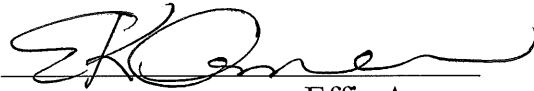
Crisanta Duran
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OF REPRESENTATIVES



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PRESIDENT OF
THE SENATE



Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Effie Ameen
SECRETARY OF
THE SENATE